

REMARKS

The Advisory Action dated November 6, 2003 stated that the amendment of claim 23 would not be entered for purposes of Appeal because it raised "new issues."

Claim 23 was amended by introducing the limitations of the **previously examined** claim 43 into claim 23.

Claim 23, as amended, and the previously examined claim 43 have **an identical scope**.

Applicants have amended claim 23 to indicate that dihydroxyl-functionalized material has a molecular weight that is substantially unchanged relative to the molecular weight of the dicarboxylic acid-functionalized starting material, as it has been shown clearly on pages 9 and 12 of the specification and concluded by the Examiner on page 3 of the Office Action dated February 7, 2003.

On page 3 of the Office Action dated February 7, 2003, the Examiner had conceded that the Applicants had indeed shown that the hydroxyalkylation process according to the present invention was carried out without substantially increasing the molecular weights of the starting materials.

Applicants believe that amendment of claim 23 to its present form by introducing the limitations of the previously examined claim 43 into claim 23 does not raise "new issues." This is because the scope of claim 23, as amended, and the scope of the previously examined claim 43 are identical.

Therefore, Applicants respectfully request that claim 23, as amended, be entered for purposes of Appeal.

Based on the foregoing, withdrawal of the Rejections of pending claims is requested and indication of their allowability is respectfully solicited.

Respectfully submitted,

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